

## FINAL REGULATION ORDER

Amendments to Titles 17 and 26, California Code of Regulations:

### SUBCHAPTER 7.6. EMISSION INVENTORY CRITERIA AND GUIDELINES

#### Article 1. General

##### 93300. Purpose.

This subchapter sets forth the criteria and guidelines for preparing emission inventory plans and reports to develop site-specific inventories of air emissions of toxic substances, as required by the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (the "Act": Stats. 1987, ch. 1252; Health and Safety Code Section 44300 et seq.).

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

##### 93301. Definitions.

- (a) "Air emission", "emission", "air release", or "release" has the same meaning as defined in Health and Safety Code Section 44303.
- (b) "ARB-adopted source test method" or "ARB-adopted method" means a procedure for performing source testing as set forth in Title 17 California Code of Regulations, Section 94100 et seq.
- (c) "Device" means any article, machine, equipment or other contrivance (whether or not operated under a permit from an air pollution control district or air quality management district) which may cause the emission of a listed substance.
- (d) "Emission inventory plan", "inventory plan", or "plan" means the emission inventory plan required by Health and Safety Code Sections 44340 and 44342.
- (e) "Emission inventory report", "inventory report", or "report" means the emission inventory report required by Health and Safety Code Section 44341.
- (f) "Emitting process" means any fugitive source or any operation within a device that involves the manufacture, formulation, use, or release of one or more of the listed substances, when the substance is present in any capacity whatsoever, including but not limited to an ingredient, product, auxiliary, or catalyst.

- (g) **"Facility"** means the same as defined in Health and Safety Code Section 44304. "Facility" shall not include any motor vehicle as defined in Section 415 of the Vehicle Code.
- (1) Except for the oil production operations defined in subsection (2) below, for purposes of this regulation, the phrase "every structure, appurtenance, installation" shall mean all equipment, buildings, and other stationary items, or aggregations thereof, (A) which are associated with a source of air emission or potential air emission of a listed substance; (B) which involve activities that belong to the same two-digit Standard Industrial Classification code, or are part of a common operation; (C) which are located on a single site or on contiguous or adjacent sites; and (D) which are under common ownership, operation, or control, or which are owned or operated by entities which are under common ownership, operation, or control.
- (2) For oil production operations in the counties of Kern and Fresno, the phrase "every structure, appurtenance, installation" shall mean the same as "stationary source" defined in Section 13.3, "Definitions" in Kern County San Joaquin Valley Unified Air Pollution Control District Rule 22010/1 "Standards for an Authority to Construct Permit New and Modified Stationary Source Review Rule" as amended August 22, 1989 December 17, 1992, and Section 2, "Definitions" in Fresno County Rule 21011 "Standards for Authority to Construct" as amended August 8, 1989, respectively, both of which rules sections are which is incorporated by reference herein.
- (h) **"Facility diagram"** means a diagram submitted with the inventory report that shows all points of actual or potential air release of a listed substance, including fugitive emissions.
- (i) **"Fugitive emissions"** means those emissions which do not pass through a stack, chimney, vent, or other functionally equivalent opening.
- (j) **"List of substances"** means the list of chemical substances which may pose a threat to public health when present in the ambient air as set forth in Appendix A of Title 17 California Code of Regulations, Sections 90700 through 90704, and in Appendices A-I and A-II of this regulation; a "listed substance" is a substance included on this list.
- (k) **"Material Safety Data Sheet" ("MSDS")** means printed material concerning a hazardous substance which is prepared by manufacturers and importers in accordance with Section 5194(g) of Title 8, California Code of Regulations, "Hazard Communication".
- (l) **"Operator" or "facility operator"** means the same as defined in Health and Safety Code Section 44307.
- (m) **"Small business"** means the same as defined in Government Code Section 11342(e).

- (n) "Source" or "point of release" means the location of a facility activity, device or emitting process, including locations of fugitive emissions, which may be associated with air emissions of a listed substance or other air pollutant; or the location of any substance which may be associated with emissions of a listed substance or other air pollutant.
- (o) "Total organic gases (TOG)" means all gases consisting of substances containing carbon, except carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate.
- (p) "Trade secrets" means the same as defined in Government Code Section 6254.7(d).
- (q) "Update plan" means an emission inventory plan which is revised and updated *biennially* as required by Health and Safety Code Section 44344.
- (r) "Update report" means an emission inventory report which is revised and updated *biennially* as required by Health and Safety Code Section 44344.
- (s) "Use" means any application, whether primary or secondary to the main facility operation, which may result in an air release of a listed substance, unless exempted pursuant to Section 93333.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44344, Health and Safety Code.

## Article 2. Applicability

### 93303. Facilities Covered.

- (a) Except for facilities or activities exempted by Health and Safety Code Sections 44324 and 44325, as further defined in subsection (c), below, this regulation shall apply upon its effective date to any facility which:
  - (1) manufactures, formulates, uses, or releases any listed substance or any other substance which reacts to form a listed substance, and releases 25 tons per year or more of total organic gases, particulate matter, nitrogen oxides, or sulfur oxides; or
  - (2) is listed in any current toxics use or toxics air emission survey, inventory, or report released or compiled by an air pollution control district or air quality management district (herein referred to as "district") and referenced in Appendix B of Title 17 California Code of Regulations, Sections 90700 through 90704.

- (b) Effective July 1, 1989, this regulation shall also apply to any facility which manufactures, formulates, uses, or releases any listed substance or any other substance which reacts to form a listed substance, and releases 10 or more but less than 25 tons per year of total organic gases, particulate matter, nitrogen oxides, or sulfur oxides.
- (c) For purposes of this subchapter, the phrase "in compliance with Section 41805.5" as used in Health and Safety Code Section 44325, regarding solid waste disposal facilities, shall refer only to those activities conducted at a solid waste disposal facility which are subject to the Calderon testing program described in Health and Safety Code Section 41805.5 and which have complied with its requirements. All other activities conducted at a solid waste disposal facility are subject to the requirements of this subchapter. A facility is deemed to have complied with the requirements of the Calderon testing program if the facility has performed the required testing or is on schedule, as determined by the district, to do so.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 41805.5, 44320, 44322, 44324, 44325, 44340, 44341, and 44342, Health and Safety Code.

#### 93304. Plan Submittal.

- (a) Every facility included in subsection 93303(a) shall submit an emission inventory plan to the appropriate district by August 1, 1989, unless the district notifies the facility in writing that the facility's emissions are or will be included in an industrywide emission inventory prepared by the district pursuant to Health and Safety Code Section 44323.
- (b) Every facility included in subsection 93303(b) shall submit an emission inventory plan to the appropriate district by August 1, 1990, unless the district notifies the facility in writing that the facility's emissions are or will be included in an industrywide emission inventory prepared by the district.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44322, 44323, 44340, 44341, and 44342, Health and Safety Code.

#### 93305. New Facilities and Facilities whose Emissions Increase.

This regulation shall also apply to facilities commencing operation or increasing emissions of total organic gases, particulate matter, nitrogen oxides, or sulfur oxides after June 1, 1989 which meet the conditions specified in Section 93303. The operator of every such facility commencing operation or increasing emissions on or before January 1 of a given year shall submit an emission inventory plan to the appropriate district by the following August 1, unless:

- (a) The district notifies the facility in writing that the facility's emissions are or will be included in an industrywide emission inventory prepared by the district; or
- (b) The facility is subject to earlier submission of an inventory plan pursuant to district requirements adopted in accordance with Health and Safety Code Sections 44365(b).

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44322, 44323, 44340, 44341, and 44342, Health and Safety Code.

**93305.5 Facilities whose Emissions Decrease Below 10 Tons Per Year of Criteria Pollutants**

- (a) This regulation shall cease to apply to any facility whose emissions of total organic gases, particulate matter, nitrogen oxides, or sulfur oxides are reduced to the extent that the facility no longer satisfies the conditions specified in Section 93303(a)(1) and (b), if the facility demonstrates to the district, and the district finds and the state board concurs that the following criteria are satisfied:
  - (1) the facility does not satisfy the conditions specified in Sections 93303(a)(2) or 93308;
  - (2) the emission reductions are permanent and enforceable; and
  - (3) the facility poses no significant risk to public health.
- (b) The operator of every facility which satisfies the criteria of subsection (a) and obtains the district's findings thereof and the state board's concurrence thereof on or before January 1 of a given year, shall not be required to comply with the update requirements that apply to that or to any subsequent year.
- (c) If at any time a facility ceases to satisfy any of the criteria specified in subsection (a), the facility shall automatically become subject to this regulation. A facility must notify the district immediately if it ceases to satisfy the criteria specified in subsection (a).

NOTE: Authority cited: Sections 39600, 39601, 44320, 44342, and 44344, Health and Safety Code. Reference: Sections 44322, 44323, 44340, 44341, 44342, and 44344, Health and Safety Code.

**93306. Facilities Added to District Surveys.**

This regulation shall also apply to facilities added after July 1, 1988, to a toxics use or toxics air emission survey, inventory, or report released or compiled by a district and subsequently referenced in

Appendix B of Title 17 California Code of Regulations, Sections 90700 through 90704. The operator of any such facility referenced in such Appendix B on or before April 1 of a given year shall submit an emission inventory plan to the appropriate district by the following August 1, unless the district notifies the facility in writing that the facility's emissions are or will be included in an industrywide emission inventory prepared by the district.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44320(b), 44323, 44340, 44341, and 44342, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

#### 93306.5 Facilities Removed from District Surveys.

- (a) This regulation ceases to apply to any facility that is removed from a district's toxics use or toxics air emission survey, inventory, or report referenced in Appendix B of Title 17 California Code of Regulations, Section 90700 through 90704, if the facility demonstrates to the district, and the district finds and the state board concurs that the following criteria are satisfied:
- (1) the facility does not satisfy the conditions specified in Section 93303 or 93308; and
  - (2) the facility poses no significant risk to public health.
- (b) The operator of every such facility that satisfies the criteria of subsection (a) and is deleted from a reference in Appendix B of Title 17 California Code of Regulations, Section 90700 through 90704, on or before April 1 of a given year shall not be required to comply with the update requirements that apply to that or to any subsequent year.
- (c) If at any time a facility ceases to satisfy any of the criteria specified in subsection (a), the facility shall automatically become subject to this regulation. A facility must notify the district immediately if it fails to satisfy the criteria specified in subsection (a).

NOTE: Authority cited: Sections 39600, 39601, 44320, 44342, and 44344, Health and Safety Code. Reference: Sections 44320, 44323, 44340, 44341, 44342, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

#### 93307. Updates to the List of Substances.

The operator of any facility which manufactures, formulates, uses, or releases any substance added to the list of substances on or before April 1 of a given year shall include such substance in any emission inventory plan required pursuant to this Article, or in the next ~~biennial~~ update of the emission inventory required pursuant to Health

and Safety Code Section 44344 and to Article 6, beginning with Section 93350, unless the district notifies the facility in writing that the facility's emissions of the substance are or will be included in an industrywide emission inventory prepared by the district.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44321, 44323, 44340, 44342, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix A.

**93308. Facilities Emitting Less Than 10 Tons Per Year of Criteria Pollutants.**

- (a) This Section shall apply on its effective date to any facility which manufactures, formulates, uses, or releases any listed substance or any other substance which reacts to form a listed substance; and which releases less than 10 tons per year of each of total organic gases, particulate matter, nitrogen oxides, and sulfur oxides; and which falls in any class listed in Appendix E-I or Appendix E-II.
- (b) Each such facility shall comply with subsections (c) and (d) below, unless:
- (1) The district notifies the facility in writing that the facility's emissions are or will be included in an industrywide emission inventory prepared by the district pursuant to Health and Safety Code Section 44323; or
  - (2) The facility is subject to earlier submission of an inventory plan pursuant to Sections 93304, 93305, or 93306 or pursuant to district requirements adopted in accordance with Health and Safety Code Section 44365(b).
- (bc) Unless exempted pursuant to subsection (a)(1) or (2) Except as provided in (b), above, the operator of any such facility which falls in any class listed in Appendix E-I shall submit to the appropriate district an inventory plan and inventory report which meet all the requirements of this subchapter. The inventory plan shall be due August 1 of the year following the effective date of this subsection for any such facility in operation at the time of such effective date. For any such facility commencing operation after such effective date, the operator of every such facility commencing operation on or before January 1 of a given year shall submit an inventory plan to the appropriate district by the following August 1, unless exempted pursuant to subsection (a)(1) or (2) except as provided in subsection (b)(1), above. The schedule specified in Health and Safety Code Sections 44340(b), 44341, and 44343, and in Sections 93320 and 93347 herein shall apply to the review, approval, and implementation of the plan and submittal of the report.
- (cd) Unless exempted pursuant to subsection (a)(1) or (2) Except as provided in (b), above, the operator of any such facility which does not

fall in any class listed in Appendix E-I but falls in any class listed in Appendix E-II shall submit to the appropriate district, for one time only, in lieu of a plan and a report, a completed copy of the Facility Description Form and a completed copy of Form S-UP which includes all applicable substances listed in both Appendix A-I and Appendix A-II. The operator shall include on Form S-UP or on an attachment a brief description regarding the nature and approximate quantity of the indicated use, production, or other presence of each applicable substance. These completed forms shall be submitted to the district on or before August 1 of the year following the effective date of this subsection for any such facility in operation at the time of such effective date. For any such facility commencing operation after such effective date, the operator of every such facility commencing operation on or before January 1 of a given year shall submit the required forms to the appropriate district by the following August 1, unless exempted pursuant to subsection (a)(1) or (2) except as provided in subsection (b)(1), above. The district shall forward these forms to the ARB within sixty (60) days of receipt.

(de) Unless exempted pursuant to subsection (a)(1) or (2), above, this regulation shall also apply to any such facility which falls in any class which is subsequently added to Appendix E-I or Appendix E-II. The operator of any such facility which falls in a class added to Appendix E-I or E-II on or before April 1 of a given year shall submit the required emission inventory plan or the completed Facility Description Form and Form S-UP, respectively, to the appropriate district by the following August 1, unless:

- (1) The district notifies the facility in writing that the facility's emissions are or will be included in an industrywide emission inventory prepared by the district pursuant to Health and Safety Code Section 44323; or
- (2) The facility is subject to earlier submission of an inventory plan pursuant to Sections 93304, 93305, or 93306 or pursuant to district requirements adopted in accordance with Health and Safety Code Sections 44365(b).

NOTE: Authority cited: Sections 39600, 39601, 44322, and 44342, Health and Safety Code. Reference: Sections 44321, 44322, 44323, 44340, 44341, 44342, 44343, 44344, and 44365, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix A.

93309. Facilities Emitting Less Than 10 Tons Per Year of Criteria Pollutants And No Longer Falling Within an "Any SIC" Class Description Listed in Appendix E-I.

(a) This regulation shall cease to apply to any facility at which a process is discontinued such that the facility no longer falls within an "any SIC" class listed in Appendix E-I, if the facility demonstrates to the

district, and the district finds and the state board concurs that the following criteria are satisfied:

- (1) the facility does not satisfy the conditions specified in Section 93303 or any other condition specified in Section 93308;
  - (2) the process is discontinued permanently; and
  - (3) the facility poses no significant risk to public health.
- (b) The operator of every facility which satisfies the criteria of subsection (a) and obtains the district's findings thereof and the state board's concurrence thereof on or before January 1 of a given year, shall not be required to comply with the update requirements that apply to that or to any subsequent year.
- (c) If at any time a facility ceases to satisfy any of the criteria specified in subsection (a), the facility shall automatically become subject to this regulation. A facility must notify the district immediately if it ceases to satisfy the criteria specified in subsection (a).

NOTE: Authority cited: Sections 39600, 39601, 44320, 44322, 44323, 44342, and 44344, Health and Safety Code. Reference: Sections 44321, 44322, 44323, 44340, 44341, 44342, 44343, 44344, and 44365, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix E-I.

### Article 3. Requirements for Preparing Emission Inventory Plans

#### 93310. General.

The emission inventory plan shall provide a comprehensive and detailed description of the methods that will be used to quantify air releases or potential air releases of listed substances from all points of release. The plan shall include quantification methods which shall result in an accurate and comprehensive characterization of releases and shall comply with all other applicable requirements in this regulation.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93311. Flow Diagram.

Each inventory plan shall include a flow diagram consisting of a comprehensive schematic drawing of the process flows which affect the nature or quantity of emissions of listed substances. If necessary, a reference document shall be attached to the drawing to include any information needed to fulfill the flow diagram requirements which cannot be included on the drawing. An existing diagram which meets the

(a) All devices associated with an emitting process within a facility, including but not limited to:

- (1) Boilers
- (2) IC Engines
- (3) Incinerators
- (4) Flares
- (5) Furnaces
- (6) Kilns
- (7) Process Heaters
- (8) Control Devices (including hoods)
- (9) Storage or Process Tanks or Enclosures
- (10) Cooling Towers

Each device shall be represented by a block labeled with the name and number of the device it represents.

For purposes of this section, similar small devices which are substantially equivalent may be aggregated and considered for reporting purposes as one device. The number of such devices which are so aggregated shall be reported.

(b) Specific emitting processes, each associated with a device number and numbered sequentially as an emitting process within that device number. Emissions which always occur simultaneously from the same point of release shall be considered to result from a single emitting process. Each fuel burned at a combustion device shall be reported as a separate emitting process. Each air pollution control device and process shall be reported.

For purposes of this section, similar small emitting processes which are substantially equivalent may be aggregated and considered for reporting purposes as one emitting process. The number of such emitting processes which are so aggregated shall be reported.

(c) An estimate of the numbers of valves, vents, flanges, seals, and gaskets associated with each listed substance at the general locations of fugitive emissions. The estimate shall be sufficiently accurate so calculations of emissions based on the estimate meet the degree of accuracy required in Section 93334. The estimate of such components may be indicated as an aggregation at a general location.

(d) All stacks, vents, ducted building exhaust sites, and other sites of exhaust release of a listed substance.

(e) Interconnections showing functional relationships that affect emissions or their reportable characteristics, sufficient to support evaluation of the completeness and representativeness of each required source test protocol and inventory plan, including but not limited to connections between devices, stacks, emitting processes, and control equipment. Interconnections shall be indicated by arrows labeled to identify the

listed substances associated with each discrete emission point or general fugitive location.

- (f) All major modifications to existing processes or devices anticipated to result in a significant change in the amount or nature of emissions which are expected to occur during the reporting period.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93312. Trade Secrets.

Information claimed to be a trade secret shall be denoted by use of a "black box" block on the flow diagram which is labeled with the non-proprietary name(s) of the operation(s) therein. All devices and emitting processes within the "black box" shall be identified by name and by number. Fugitive emissions of listed substances located within the black box shall be indicated.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44346, Health and Safety Code, and Government Code Section 6254.7

#### 93313. Numbering.

Numbering of devices and stacks shall be consistent throughout all parts of the plan, report, and reporting forms and with existing device and stack numbers currently used by the district to characterize the facility. For devices and stacks for which the district has not assigned numbers, the facility operator shall number the devices and stacks in a manner compatible with the existing numbering convention. In cases where a facility has one or more substantially identical activities, repetitions may be indicated with an appropriately labeled box or boxes.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93314. Specification of Emission Quantification Methods.

For each emission point on the flow diagram, including the general location of fugitive emissions, the facility operator shall identify the listed substances being emitted and specify in detail the estimation method, source test method or other measurement method that will be used to quantify the air releases of the listed substances as required by

Sections 93336 through 93345, as appropriate. Each method shall result in an accurate and comprehensive characterization of releases.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93315. Source Test Protocol and Other Required Information.

The inventory plan shall include a source test protocol which describes how each source test method will be applied to each emission point where source testing is required pursuant to Section 93336 and Appendix D. The inventory plan shall propose values for the effectiveness of air pollution control equipment in accordance with the requirements of subsection 93345(c) and shall include any other documentation required to be cited pursuant to Article 5, beginning with Section 93330.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

### Article 4. Requirements for Emission Inventory Reports

#### 93320. General.

The emission inventory report shall be submitted to the district within 180 days after approval of the plan and shall include a facility diagram; the results of all source tests, material analysis and other measurements performed; and completed copies of the necessary multiples of the four core reporting forms and ~~any required supplemental process parameter reporting forms~~ the S-UP Form, or the required information in an alternative format if so required by the district. Any deficiencies or errors noted by the district, or by the ARB where applicable, shall be corrected.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93321. Facility Diagram.

- (a) The facility diagram shall include all the information presented in the flow diagram and in the equivalent format and shall also include any specific required information which the facility chooses to designate as trade secret.
- (b) Only the necessary data used to calculate emissions which are required in the facility diagram may be designated trade secret. For purposes of this regulation, "necessary data to calculate emissions" shall include process rate, operating schedule, equipment capacity, emission factors,

and feed composition. "Necessary data to calculate emissions" which may be designated trade secret shall not include information previously disclosed or easily discernable, including all information which the district requires any applicant to provide before such applicant builds, alters, replaces, or operates a facility, device, or emitting process; information on the Facility Description Form, the Stack Data Form, and the Device Description and Device-Stack Relations Form /, and all other information regarding stack height, stack diameter, stack gas exhaust parameters, and air pollution control equipment, and information in the Yōffice use sections of each form on the Process and Emittents Data Form, with the exception of process description, which was not defined earlier as "necessary data to calculate emissions."

- (c) Information claimed to be a trade secret shall be included on the facility diagram and reference document with a box around such information, using dashed lines and a bold letter "C" in the upper right corner of the dashed box. The designated information will be protected as a trade secret when it appears in another component of the emission inventory report only if thus denoted on the facility diagram and denoted in such other component in accordance with the provisions of this regulation.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44346, Health and Safety Code, and Government Code Section 6254.7

#### 93322. Reporting Forms.

- (a) The operator of each facility subject to the regulation shall complete one Facility Description Form, an entry on a Stack Data Form for each stack or vent from which a listed substance may be released, an entry on a Device Description and Device-Stack Relations Form for each device associated with a release of a listed substance, and a Process and Emittents Data Form for each emitting process within each device. A Process and Emittents Data Form and an entry on a Device Description and Device-Stack Relations Form shall be completed for each general location of fugitive emissions.

(b) Supplemental process parameter forms(s) shall be completed for each of the following processes:

- (1) Stationary combustion fuel analysis (Form SFCMB) for solid or liquid waste fuels or other non/standard fuels or feedstocks;
- (2) Cooling towers (Form S+CT);
- (3) Metal plating (Form S+MP);
- (4) Sterilization of articles using ethylene oxide or other listed substances (Form S+ETO);

- (~~b~~) Form S-UP shall be completed for all substances set forth in Appendix A-II which are: 1) used as ingredients in any activity or process at the facility; 2) manufactured or produced as a result of any activity or process at the facility; or 3) otherwise associated with an activity or process, including but not limited to presence in a formulation operation or presence as a by-product or a reaction intermediate which appears temporarily during processing.
- (~~c~~) Information designated as trade secret on the facility diagram shall be identified on the reporting forms according to the instructions set forth in Appendix B.
- (~~d~~) The forms shall be available at the district office and shall be provided to facility operators upon request.
- (~~e~~) Form S-UP shall also be completed for all substances set forth in Appendix A-I when required pursuant to Section 93334 (~~e~~) and for all substances set forth in Appendix A-I and Appendix A-II when required pursuant to Section 93308(c).

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44345, Health and Safety Code.

#### 93323. Other Required Data.

- (a) Each inventory report shall include the results of each required source test and source test protocol, each fuel or material analysis, and any other documentation required to be submitted pursuant to Article 5.
- (b) The inventory report shall include the results of any source tests performed pursuant to district regulations implementing an ARB airborne toxic control measure which was adopted pursuant to Health and Safety Code Section 39666 for the control of toxic air contaminants, where such source tests have been performed prior to the date of submittal of the inventory report.
- (c) If so required by the district, the facility operator shall include with the inventory report a facility-wide emissions summary which lists for each reported substance the total of the annual emissions and the maximum hourly emissions of each listed substance from the facility. The totals for each substance shall match the sums of the annual and maximum hourly emissions, respectively, which have been reported for the substance on the Process and Emittents Data Forms for all applicable emitting processes at the facility. If such a summary is required by the district, the district shall, on request, specify a standardized format for the summary data.

- (d) If so required by the district, the facility operator shall include with the inventory report information on the proximity of the source to potential receptors, including but not limited to the distance to the nearest hospital, school, daycare center, worksite, and residence. If such information is required by the district, the district shall, on request, specify a standardized format for the information.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44360, Health and Safety Code.

#### 93324. Plot Plan.

If so required by the district, the inventory report shall include a plot plan which shall show a plan view of the facility site and structure(s). The plot plan shall indicate the direction of north and shall be drawn to scale on one sheet of paper. All stacks shall be shown and referenced by stack number. The height of any buildings greater than two stories shall be noted. General locations of fugitive emissions shall be noted. The devices and operations situated in each separate building shall be designated by the corresponding name or number used on the flow diagram.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

### Article 5. Other Requirements

#### 93330. Instructions for Record Keeping.

The facility operator shall retain copies of the following records and documentation for a period of five years from the date of submission of the emission inventory report or the date of each subsequent *biennial* update required pursuant to Health and Safety Code Section 44344:

- (a) Each emission inventory plan.
- (b) Each emission inventory report.
- (c) All documentation and results of source tests and other measurement procedures.
- (d) Purchase records of all listed substances or mixtures containing listed substances used at the facility, if information regarding the purchase of such substances was used to calculate emissions of any listed substance or to determine the production, use, or other presence of any substance reported on Form S-UP.
- (e) All Material Safety Data Sheets and Technical Data Sheets used to prepare the emission inventory report.

- (f) Receipts and manifests associated with the transfer of each listed substance in waste to off-site locations, if information regarding such transfer was used to calculate emissions of any listed substance.
- (g) All other documentation supporting the estimates of emissions, including control equipment efficiency; of amounts present of each listed substance, including information used to evaluate exempted uses and degree of accuracy requirements; and of amounts used for mass balance calculations, including amounts removed or transferred to an off-site location in finished product, by-product, waste, or any other form.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, 44344, and 44345, Health and Safety Code.

**93331. Specification of Reporting Period and Averaging Intervals for Each Substance.**

- (a) The calendar reporting period for which emissions are to be representative shall be from January through December of the specified year, commencing January 1, 1989 for facilities required to submit inventory plans by August 1, 1989 and commencing January 1, 1990 for facilities required to submit inventory plans by August 1, 1990, and in like manner for subsequent submittal of inventory plans.
- (b) Emissions of substances listed in Appendix A-I shall be reported both as maximum one hour emissions and as annual average emissions.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

**93332. Specifications for Identifying Emission Points and Substances Emitted.**

- (a) The facility operator shall identify and report in the inventory plan and the inventory report as a distinct emitting process or device each occurrence within the facility of the emitting processes and devices set forth in Appendices C-I and C-II (the Facility Guidelines Index, herein referred to as the "Facility Look-up Table"), and shall determine whether any listed substance is present, including but not limited to those indicated in Appendices C-I and C-II.
- (b) For the devices, emitting processes, and fugitive sources set forth for all facility classes in Appendix C-I and for the applicable facility class(es) set forth in Appendix C-II, the operator shall report all emissions of substances listed in Appendix A-I and shall report the production, use, or other presence of substances listed in Appendix A-II.

- (c) The facility operator shall use and cite available technical guidance as needed to identify the presence of any listed substances and to quantify and report emissions in accordance with the requirements set forth in Section 93334.
- (d) Nothing in subsections (a) through (c), above, shall be construed as requiring that source testing be conducted for substances set forth in Appendix C. Further, in cases where a substance set forth in Appendix C is not in fact present at a particular facility, the facility operator shall not attempt to quantify the emissions of such substance, but shall provide adequate documentation to demonstrate to the district that the possible presence of the substance at the facility has been addressed and that there are no emissions of the substance for specified reasons.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93333. Exempted Uses.

The following uses of listed substances shall not be subject to this regulation:

- (a) Use as a structural component of the facility.
- (b) Personal use by employees or other persons of foods, drugs, cosmetics, tobacco products, and other personal items, including supplies of such products within the facility in an on-site cafeteria, store, or infirmary.
- (c) Office and administrative use of products including ink, marking pens, ink pads, correction fluid, correction fluid thinner, and glue.
- (d) Use of products for routine janitorial or facility grounds maintenance.
- (e) Use of products for structural maintenance and repair, including WD-40 and other lubricants, sealants, touch-up paints, spray paints, and varnishes. Structural maintenance does not include maintenance and repair of process and industrial equipment.
- (f) Use of products for minor maintenance and repair of process and industrial equipment, including WD-40 and other lubricants, sealants, touch-up paints, spray paints, and varnishes. Minor maintenance and repair shall not include maintenance and repair which is routinely scheduled or which is due to predictable process upsets.
- (g) Use of products for the purpose of maintaining motor vehicles operated by the facility, unless vehicle maintenance is a significant function of the facility, such as in an auto repair facility or in a trucking or other business where a fleet of vehicles is maintained.

- (h) Use of process water or non-contact cooling water which is drawn from municipal water supplies or from other local ground or surface water sources but is not drawn from activities at the facility.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

**93334. Emission Quantification and Degree of Accuracy.**

- (a) For all substances listed in Appendix A-I, the inventory report shall identify and quantify emissions from the use, manufacture, formulation, and release of the substance at all primary locations of actual or potential release.
- (b) For each process for which source testing is required to quantify emissions of a listed substance pursuant to Section 93336 and Appendix D, the measured concentrations shall meet the practical quantification limit in the applicable ARB-adopted source test method. All other parameters needed to calculate emissions shall be reported to within plus or minus 10 per cent of their total values. The emission results of each source test shall be reported to the degree of accuracy consistent with the detection and accuracy limits achievable using the applicable source test method, whether or not such emissions are below the lowest applicable degree of accuracy set forth in subsections (d) and (e) (c) below.

The sampling frequency shall provide the best practicable characterization of emissions at the facility representative of the reporting year and shall be specified in the source test protocol submitted with the inventory plan.

In cases where source testing is required to quantify emissions of a listed substance from some but not all emitting processes at the facility, total emissions from the processes for which source testing is not required shall meet the applicable limits set forth in subsections (d) and (e) (c) below.

(c) For purposes of this section the facility operator shall treat any substance which is denoted with the letter Y before the substance name in Appendices A-I and A-II as a human carcinogen or potential human carcinogen.

(dc) For each substance all human carcinogens or potential human carcinogens listed in Appendix A-I, the required degree of accuracy for quantifying total emissions from processes for which source testing is not required shall be as follows:

(1) For all the polychlorinated dibenzop-dioxins and polychlorinated dibenzofurans, and chromium (hexavalent) and compounds, total emissions of each from the facility shall be reported to within plus or minus 10 per cent of the total emissions of the substance,

or to within plus or minus 0/1 pound per year the applicable degree of accuracy value in Appendix A-I for that substance, whichever is greater.

- (2) For cadmium and cadmium compounds, arsenic and arsenic compounds, beryllium and beryllium compounds, nickel and nickel compounds, nickel refinery dust from the pyrometallurgical process, benz(a)pyrene, chrysene, 7,12-dimethylbenz[a]anthracene, 3-methylcholanthrene, polychlorinated biphenyls, ethylene dibromide, hexachlorobenzene, hexachlorocyclohexane, lindane, methylsodiumethylamine, methylsodiumethylamine, methylsodiumn-butylamine, and methylsodiumpyrrolidine, total emissions of each from the facility shall be reported to within plus or minus 10 per cent of the total emissions of the substance, or to within plus or minus one pound per year, whichever is greater.
- (3) For benzene, ethylene oxide, chloroform, ethylene dichloride (1,2-dichloroethane), benzotic trichloride, 1,3-butadiene, carbon tetrachloride, bis(chloromethyl)ether, chloroform, 1,3-dichloropropane, benzidine (and its salts) and benzidine-based dyes, 3,3'-dichlorobenzidine, 3,3'-dimethylbenzidine, beta-propiolactone, 1,1,2,2-tetrachloroethane, o-xoluidene, and vinyl bromide, total emissions of each from the facility shall be reported to within plus or minus 10 per cent of the total emissions of the substance, or to within plus or minus 10 pounds per year, whichever is greater.
- (4) For all other human carcinogens or potential human carcinogens, except for those listed in subsection (e) (1) due to their significant non-cancer health effects, total emissions of each from the facility shall be reported to within plus or minus 10 per cent of the total emissions of the substance, or to within plus or minus 100 pounds per year, whichever is greater.
- (e) For all substances listed in Appendix A-I which are not designated as human carcinogens or potential human carcinogens for purposes of this section, the required degree of accuracy for quantifying total emissions from processes for which source testing is not required shall be as follows:
- (1) For lead and lead compounds, mercury and mercury compounds, phosphine, arsine, chlorine, chloropicrin, hydrocyanic acid, hydrogen fluoride, benzyl chloride, acetone, and toluene dithiocyanates, total emissions of each from the facility shall be reported to within plus or minus 10 per cent of the total emissions of the substance, or to within plus or minus 10 pounds per year, whichever is greater.
- (2) For all other such substances, total emissions of each from the facility shall be reported to within plus or minus 10 per cent of the total emissions of the substance, or to within plus or minus 100 pounds per year, whichever is greater.

- (fd) For all substances listed in Appendix A-II, the facility operator shall identify and report each substance produced, used, or otherwise present at all primary locations of use, manufacture, formulation, or release.
- (ge) For all substances listed in Appendix A-I which are manufactured, formulated, used, or released but for which emissions are below the applicable limits for degree of accuracy required by subsections (dc) and listed in Appendix A-I and (e), the facility operator shall complete Form S-UP to indicate the presence of such substances, unless a numeric estimate of such emissions is reported on a Process and Emittents Data Form for the appropriate emitting process.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44321, 44340, 44341, and 44342, Health and Safety Code, and 17 CCR Section 90700-90704, Appendix A.

### 93335. Reporting Mixtures and Trade Name Products.

- (a) Except as provided in subsections (b), (c) through (h), and (d) below, the emissions of each listed substance contained in any mixture shall be individually reported to the degree of accuracy required in Section 93334 and Appendix A.
- (b) Mixtures Without Emittent Identification Numbers: Except as required in subsections (c) through (h) and (d), below, the emissions from any mixture or substance group header listed in Appendix A but for which an emittent identification number is not included shall be reported as emissions of the component listed substances.
- (c) Mixtures With Emittent Identification Numbers: Except as required in subsections (d) through (h), below, the emissions of any listed mixture or group heading for which an emittent identification number is included in Appendix A-I shall be reported as follows:
- (1) Emissions of individual substances listed under the mixture or group heading shall be reported individually. Other, unspecified substances in the mixture or group must be summed and reported under the emittent identification number for the mixture or group heading.
  - (2) If no individual substances are listed under the mixture or group heading, the emissions of any listed substances which is itself a the mixture or group heading class of substance and for which an emittent identification number is included on Table B/II of Appendix B shall be reported as total emissions of the aggregated substance mixture using the applicable emittent identification number. The listed substance mixture shall not be divided into constituent listed substances for purposes of reporting emissions on the reporting forms in Appendix B. Rather, the facility operator shall provide all reasonably obtainable information on the composition and variability of the

mixture as it pertains to constituents which are listed substances, including at a minimum, each applicable Material Safety Data Sheet, Technical Data Sheet, and other data on batch composition.

- (d) Metal Compounds: Emissions of individually listed metal compounds shall be reported as total emissions of the compound using the emittent identification number for that compound. Emissions of metal compounds for which an emittent identification number is not included in Appendix A-I, but which contains one or more listed metals, shall be reported as each listed metal's atom equivalent, using the emittent identification number for each metal or applicable metal compound group header.
- (e) Diesel and Gasoline Engine Exhaust: Emissions of diesel engine exhaust and gasoline engine exhaust shall be reported as emissions of total particulate matter and total organic gas using the emittent identification numbers specified in Appendix A. Individually listed substances from diesel and gasoline combustion shall also be reported using the applicable emittent identification numbers.
- (f) Gasoline Vapors: Total gasoline vapor emissions shall be reported using the applicable emittent identification number. Emissions of individual components of gasoline vapors which are listed substances shall also be reported.
- (g) Source test results for polycyclic aromatic hydrocarbons (PAHs) shall include measurement of total PAHs and each of the component substances which are listed substances and to which the ARB-adopted source test method pertains. Each individual substance and total PAHs shall be reported in accordance with the instructions set forth in Appendix B.
- (h) Source test results for dioxins and furans shall include measurement of total dioxins and furans and each of the component substances which are listed substances and to which the ARB-adopted source test method pertains. The results shall include the determination of total tetra-, penta-, hexa-, hepta-, and octa- PCDD/PCDF homologue groups and all the 2,3,7,8-substituted PCDD/PCDF isomers listed in the method. Each individual substance and total dioxins and furans shall be reported in accordance with the instructions set forth in Appendix B.
- (i) Trade name products shall be treated as mixtures.
- (j) A Material Safety Data Sheet (MSDS) or Technical Data Sheet (TDS) shall be considered sufficient to identify listed substances in a mixture or trade name product only if all listed substances can be identified to the degree of accuracy required by Section 93334 and Appendix A unless the district concurs that the presence of a particular substance in the mixture is highly unlikely. An MSDS or TDS shall not be acceptable for purposes of this regulation if trade secret information has been omitted or if it includes a mixture or a category of substances (such as "petroleum process oil") that may reasonably be expected to contain a listed substance (such as benzene), unless, by consulting the

manufacturer or performing a laboratory analysis of the material, the facility operator demonstrates that no listed substances are included in the mixture or establishes the amounts of listed substances that are present.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44321, 44340, 44341, and 44342, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix A.

#### 93336. Source Testing and Measurement.

- (a) Source testing shall be required for those sources set forth in Appendix D for the substances specified and in accordance with the measurement methods set forth therein. Exemptions and alternatives are set forth in the third column of Appendix D.
- (b) The ARB-adopted test methods shall be used to fulfill the source test requirements in subsection (a) when the specified conditions exist, except that:
  - (1) To determine quantities of trace elements in fuel, waste, or material samples, the following methods shall be used: EPA Method 7196 for chromium (hexavalent), EPA Method 7471 for mercury, EPA Method 7740 for selenium, and EPA Method 6010 for all other trace elements, all of which are dated September 1986 and set forth in SW-846, Test Methods for Evaluating Solid Waste, Third Edition, November 1986, and all of which are incorporated by reference herein; and
  - (2) To determine chlorine content and sulfur content of coal and coke fuel samples, ASTM Methods D2361-85 amended as of 1985 and D3177-89 amended as of 1989, both of which are incorporated by reference herein, shall be used, respectively.
  - (3) To determine chlorine content and sulfur content in wood, refuse-derived, and other solid fuel, waste, or material samples, ASTM Methods E776-87 amended as of 1987 and E775-87 amended as of 1987, both of which are incorporated by reference herein, shall be used, respectively.
  - (4) To determine chlorine content and sulfur content in other fuel or material samples, ASTM Methods D808-87 amended as of 1987 and D129-64 amended as of 1964, both of which are incorporated by reference herein, shall be used, respectively.

- (c) The facility operator may propose in the inventory plan and the district may approve equivalent sampling and analysis methods to accomplish the required source testing only if the facility operator includes in the inventory plan sufficient information to enable the Executive Officer of the ARB to determine in writing that the alternative method is substantially equivalent to the ARB-adopted method for that facility for purposes of complying with this regulation.
- (d) The inventory plan may include a proposal for the use of existing source test data from the facility to satisfy the source testing requirement. The district may approve the proposal only if all conditions affecting emissions of listed substances are substantially the same, and the source test methods used are determined by the Air Pollution Control Officer or Executive Officer of the district to be substantially equivalent to the ARB-adopted test methods. The proposal must be approved in writing by the district prior to use.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93337. Pooled Source Testing.

- (a) The operators of a group of related facilities may propose in each of their respective inventory plans to satisfy any source testing requirement by performing a limited number of representative source tests and applying the results to each of their respective facilities. Such a proposal shall be submitted for district review and approval with the source test protocol in the inventory plan.
- (b) Upon receipt of a proposal for pooled source testing, the district shall ensure that all required components of information are included. Once the proposal is complete, the district shall immediately submit the proposal to the Executive Officer of the ARB for technical review and comment. To the extent practicable, the Executive Officer of the ARB shall indicate whether the proposal is acceptable. If the proposal is unacceptable, the Executive Officer shall identify those areas of the proposal which are deficient. The proposal shall be deemed acceptable to the ARB if the Executive Officer does not respond to the district within 45 days of receipt of the proposal.
- (c) The district may approve the proposal for participating facilities which were not source tested but to which the results are proposed to be applied only if:
  - (1) The facility operator includes in the plan sufficient information regarding operating conditions, input and output streams, equipment characteristics, control equipment, and other parameters affecting emission characteristics of the operator's facility and the facility tested to enable the district to make a determination that sufficient similarity in all parameters affecting emissions of

listed substances exists between the facility tested and the facility to which the results are proposed to be applied, such that emissions can be calculated to yield representative emission results to the required degree of accuracy; and

(2) If applicable, the facility operator corrects the deficiencies identified by the Executive Officer of the ARB.

(d) If the proposal is not approved, each facility shall undertake individual source testing as required.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

### 93338. Alternatives to Required Source Testing.

(a) As a substitute for a required source test as set forth in Appendix D or the alternatives to it as set forth in Sections 93336 and 93337 and Appendix D, the inventory plan may include a proposal for the use of an alternative method to quantify emissions if the facility operator provides adequate documentation to demonstrate that the alternative method will result in the best technologically feasible characterization of the facility's emissions, and:

(1) the proposed alternative method:

(A) has been demonstrated in actual practice to result in a characterization of emissions which is as accurate or more accurate than that achievable by the ARB-adopted source test method, and

(B) is not to be used instead of the required source testing for combustion or incineration processes or for other processes where the mechanisms that result in emissions and the parameters which are necessary to determine the emissions cannot be quantified sufficiently to allow emissions to be estimated to meet the applicable degrees of accuracy set forth in Section 93334; or

(2) use of the required source testing is not technologically feasible because of physical circumstances at the facility, but the ARB-adopted source test method may be modified for use at the facility, in which case such modified method shall be used; or

(3) use of the required source testing is not technologically feasible because of physical circumstances at the facility and the ARB-adopted source test method cannot be modified in accordance with subsection (a)(2) above, in which case the best technologically feasible non-testing alternative may be proposed.

- (b) Upon receipt of a proposal for the use of such an alternative method, the district shall ensure that all required components of information are included. Once the proposal is complete, the district shall immediately submit the proposal to the Executive Officer of the ARB for technical review and comment. To the extent practicable, the Executive Officer of the ARB shall determine whether the required source test is feasible and shall note any deficiencies in the proposal. The proposal shall be deemed acceptable to the ARB if the Executive Officer does not respond to the district within 45 days of receipt of the proposal.
- (c) If the proposed alternative method is to determine emissions of arsenic or arsenic compounds, beryllium or beryllium compounds, cadmium or cadmium compounds, chromium (hexavalent), benzo(a)pyrene, or chlorinated dioxins and dibenzofurans, the district may approve the proposed alternative only if both the district and the ARB concur that the proposed alternative method complies with subsection (a) above. If the proposal is not approved, the facility shall undertake source testing as required or shall use an alternative method which is determined by the district and the ARB to meet the requirements of subsection (a).
- (d) If the proposed alternative method is to determine emissions of a substance other than those identified in subsection (c), the district may approve the proposed alternative only if, after considering any comments by the Executive Officer of the ARB, the district determines that the proposed alternative method complies with subsection (a) above. If the proposal is not approved, the facility shall undertake source testing as required or shall use an alternative method which is determined by the district to meet the requirements of subsection (a).

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

**93339. Source Test Protocol and Source Test Report.**

For each required source test, including pooled source tests conducted pursuant to Section 93337, a proposed source test protocol shall be submitted with the inventory plan. The proposed protocol shall include the information set forth in subsections (a) through (v) below, responding to language in brackets to indicate future intent or anticipated values, and excluding information claimed to be trade secret.

The district approved source test protocol which was followed during the actual testing For each required source test, a source test report shall be submitted with the inventory report, and The source test report shall include the actual test values for the information required in subsections (a) through (v) below. Information denoted as trade secret on the facility diagram shall be so denoted in the source test protocol for the actual testing report according to the procedure set forth in subsection 93321(c). Facilities participating in pooled source tests conducted pursuant to Section 93337 need only reference the source

test report in their inventory report if the district already possesses a copy of the report and the facility obtains the district's findings that a further copy is not needed.

- (a) Date on which the source test was [will be] performed.
- (b) Name and qualifications of companies and/or persons who conducted [will conduct] the source test and analyzed [will analyze] the samples.
- (c) Name of contractor.
- (d) Process description.
- (e) Process reactant composition and rates [approximate values or range of values for composition and rates].
- (f) Fuel analysis and firing rates for combustion processes [approximate values or range of values for fuel composition and firing rates].
- (g) Source test and analysis methods for all listed substances for which source testing is required [commitment to source test and analysis methods as required by Sections 93336 and Appendix D].
- (h) Equipment specifications and drawings as needed to plan and interpret source test results, including but not limited to stack dimensions (including diameter and height) and port configuration.
- (i) ARB independent tester Executive Order, provided pursuant to Section 91207, Title 17, California Code of Regulations, if the tester has been certified by the ARB for the proposed source test method.
- (j) Typical values and allowable ranges of operating parameters (including pressure, feed rate) of the process [approximate values or range of values for operating parameters].
- (k) Process operating conditions during test [approximate values or range of values anticipated during test].
- (l) Stack temperature [approximate value anticipated].
- (m) Concentration of any listed substances in the exhaust stream [approximate values or range of values anticipated].
- (n) Mass emission rate of any listed substances [approximate values or range of values anticipated].
- (o) Composition and rate of waste streams, including scrubber effluent, ash, fly ash [approximate values or range of values anticipated].
- (p) Oxygen, carbon dioxide and moisture content of exhaust gas [approximate values or range of values anticipated].
- (q) Exhaust gas velocity and volumetric flow rate at the point where testing is conducted [approximate values or range of values anticipated].
- (r) Sampling points and number of samples [proposed points and number].
- (s) Calibration data, including certification that the accuracy of calibration gases is traceable to the National Institute of Standards and Technology (NIST).
- (t) Quality assurance and quality control data including analysis audit, zero and span drift, blank and spiked samples [proposed].
- (u) Chain of custody document, where appropriate [proposal for provision of document].

- (v) Applicable emission standards or other permit conditions affecting emissions of listed substances.
- (w) the estimated limit of detection, the proposed number of test runs, and any other pretest calculations for the source test method that is used.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44346, Health and Safety Code, Government Code Section 6254.7.

#### 93340. Converting Source Test Results to Emission Rates.

- (a) Source testing shall be performed under representative operating conditions for the reporting year. Representative operating conditions shall be developed in consultation with the appropriate air pollution control district and specified in the inventory plan.
- (b) In consultation with the district, and in accordance with the procedures set forth in the ARB-adopted source test methods where applicable, the facility operator shall calculate and report a site-specific emission factor for the listed substance based on the mass emission rate for the listed substance measured during the source test and expressed in terms of the most representative "usage unit". The usage unit shall be the measure of operating conditions which best characterizes the dependence of the emissions of the listed substance on operating conditions. The most appropriate usage unit shall be hours of operation only when the operation undergoes very limited variation over time during the reporting year.
- (c) The facility operator shall calculate annual average emissions, in pounds per year, from the site-specific emission factor and the average value of the usage unit during the reporting year.
- (d) The facility operator shall calculate maximum hourly emissions, in pounds per hour, from the site-specific emission factor and the maximum value of the usage unit that can reasonably be expected in a one hour period. The maximum value shall be the best possible representation of the process conditions that produce the maximum emissions within the range of allowable conditions, under routine operation or predictable upset, but not including conditions reflecting atypical shut-down of control equipment.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

**93345. Specifications for Acceptable Estimation Methods and Emission Factors.**

- (a) Where emissions of substances are required to be quantified but where measurement is not required pursuant to Section 93336, the inventory plan may propose an estimation method to quantify such emissions at all primary locations of release to the degree of accuracy required by Section 93334. The district may approve a proposed method only if all of the following criteria are met:
- (1) The district determines that the method is effective and reflects the best available methods and data, and will produce an accurate representation of the types and quantities of air releases at a facility;
  - (2) The proposed method accounts for all facets of the applicable emitting process and is based on sufficient data about the air toxics emission characteristics under the full range of relevant conditions to characterize the emissions to the degree of accuracy required by Section 93334; and
  - (3) Standard calculations for mass balance, emission factor application, and engineering calculations comply with the following requirements:
    - (A) Mass balance calculations are acceptable when no adequate emission factors are available or when a more accurate estimate will be obtained by the use of a mass balance than by the use of available emission factors. All mass balance calculations must account for all routes of inflow and outflow and all accumulations sufficiently to characterize air releases to the degree required.
    - (B) Proposed emission factors must have been generated under substantially similar conditions for substantially similar facilities or equipment as those to which the emission factors will be applied, to the extent technologically feasible. For purposes of this Section, if the ARB has published, pursuant to Health and Safety Code Section 39650 et seq., an emission factor for a listed substance which is applicable to the emitting process at the facility, the most recent such emission factor shall be used to estimate emissions of the substance.
    - (C) Engineering calculations shall be based on sufficient data about the air toxics emission characteristics at all relevant conditions to characterize the emissions to the degree of accuracy required by Section 93334.
- (b) The estimation method included in the inventory plan may include a proposal to use available data and data from substantially similar facilities or equipment. The district shall not approve the proposal unless the criteria set forth in subsections (a)(1) and (2) are met.

- (c) The effects of all air pollution control equipment or process conditions which are adjusted to control air pollution shall be quantified for each listed substance affected by the equipment or process. The facility operator shall propose in the inventory plan a value for the effectiveness of each air pollution control device affecting the emissions of each listed substance and shall cite the justification for the value of control effectiveness for each listed substance under actual operating conditions.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44345, Health and Safety Code.

#### 93346. Format for Reports and Presentation of Data.

- (a) The operator of each facility subject to this regulation shall complete the core reporting forms and the S-UP form and any applicable supplemental process parameter reporting forms in accordance with the formats and instructions set forth in Appendix B, except that the required information shall be submitted in an alternative format if so required by the district.
- (b) The core Facility Description Form shall be the first page of the required emission inventory report. Other core forms shall be in sequence by device number. The required supplemental process parameters reporting forms, source test report protocol and results, and other documentation supporting the emission calculations shall be attached after the core reporting forms and in an order corresponding to the core reporting forms for the applicable devices, stacks, or emitting processes.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

#### 93347. Other Procedures.

Within 90 days of approval of the inventory report, the district shall transmit to the ARB staff all data required on the core and supplemental S-UP forms including completed information in sections designated for field use, in a format approved by the ARB staff for transmittals via paper or electronic media.

NOTE: Authority cited: Sections 39600, 39601, and 44342, Health and Safety Code. Reference: Sections 44340, 44341, and 44342, Health and Safety Code.

## 93348. Update Requirements

- (a) Facility operators required to report pursuant to Sections 93304, 93305, 93306, or 93308(b)(1) or (c) are subject to update requirements as specified by Sections 93348-93355. Every facility operator shall submit either an Update Summary Form or an update plan and report, as specified in subsections (b-g) below. Facility operators shall comply with these requirements pursuant to the schedule specified in Section 93353. In the following subsections the terms "significant risk facility", "high priority facility", "intermediate priority facility", and "low priority facility" are used as specified in Health and Safety Code Sections 44360(a) and 44362(b). In addition, facility priority categorization, as used in Sections 93348-93353, shall reflect emissions from the most recent facility emission inventory approved by the district.
- (b) Significant Risk Facilities: Every four years the operator of any facility whose health risk assessment indicates that there is a significant health risk associated with emissions from the facility, as determined by the district pursuant to Health and Safety Code Section 44362(b), shall submit to the district an update plan and report, as specified in Sections 93350-93353. Operators subject to this part shall identify and report all changes in emissions for those devices which constitute, at a minimum, the upper 80 percent of the facility's risk, such that the aggregated risk of devices not identified does not exceed either one cancer in a million or a noncancer hazard index of one, in the judgment of the district. Devices shall be identified with the concurrence of the district. Alternatively, facility operators subject to this part may, at their option, submit update plans and reports which show all changes to all devices at the facility.
- (c) High Priority, Not Significant Risk Facilities: Every four years the operator of any facility which is categorized by a district as high priority pursuant to Health and Safety Code Section 44360(a), and whose emissions do not present a significant health risk as determined by the district, shall complete and submit to the district for review the Update Summary Form as specified in Section 93349. Based on data reported on Part C of the Update Summary Form, any facility that experienced a significant increase in facility activity since the facility's previous emission inventory report was submitted shall submit an update plan and report, as specified in Sections 93350-93353. The update plan and report shall include updated information for those devices which experience significant increases in activity.

- (1) Significant Increases. For facility operators subject to this subsection, significant increases in facility activity shall be defined as a 10 percent or greater increase in device activity. Devices may be identified as described in either (i) or (ii) below:
- (i) Any Devices. Any device whose activity (as measured by increases in throughput, fuel usage or type, feed rates, emissions, or process rates) has increased by 10 percent or greater since the facility's previous emission inventory report was submitted; or
  - (ii) Substantial Risk Devices. Those devices which constitute, at a minimum, the upper 80 percent of the facility's risk, such that the aggregated risk of devices not identified does not exceed either one cancer in a million or a noncancer hazard index of one, in the judgment of the district. Devices shall be identified with the concurrence with the district. Facility operators shall provide updated data in an update plan and report for any of the identified devices with activity increases of 10 percent or more (as measured by increases in throughput, fuel usage or type, feed rates, emissions, or process rates).
- (2) Consolidated Device Data: At their option, facility operators may consolidate devices for the purpose of quantifying increases in device activity when reporting on the Update Summary Form. All devices, so consolidated, must be within the same Source Classification Code (SCC). Increases shall be in comparison to the activity for comparable devices as reported in the facility's most recently submitted and approved emission inventory report. When the sum of the changes in activity for all consolidated devices within an SCC exceeds a 10 percent increase, an updated Process and Emittents (PRO) Form must be submitted by the facility operator for any individual device or grouped devices (reported on the same PRO Form) whose activity increases by 10 percent or more.
- (3) Other Criteria: Based upon data reported in Part B of the Update Summary Form or other information required by the district, districts may require a facility operator to submit an emission inventory update plan and report for the facility as specified in Sections 93350-93353.
- (d) Low or Intermediate Priority Facilities: Every four years the operator of any facility which was categorized by a district as low or intermediate priority pursuant to Health and Safety Code Section 44360(a) and which is not subject to Section 93348(b), shall complete and submit to the district for review Parts A and B of the Update Summary Form as specified in Section 93349. The Update Summary Form shall meet the update requirements for facilities subject to this subsection unless, based upon data reported on the Update Summary Form or other information required by the district, the district requires the

facility operator to submit an emission inventory update plan and report for the facility as specified in Sections 93350-93353.

- (e) Facilities Not Yet Prioritized: Every four years, the operator of any facility that has not been prioritized by a district pursuant to Health and Safety Code Section 44360(a) shall complete and submit to the district Part A of the Update Summary Form as specified in Section 93349. The Update Summary Form shall meet the update requirements of facilities subject to this subsection. For any facility prioritized by December 1 of a given year, this part no longer applies to the facility for that year or for any subsequent year.
- (f) Voluntary Updates: Any facility operator may voluntarily submit an update plan and report, following approval and scheduling by the district.
- (g) Data Revised for Prioritizations or Risk Assessments: If a facility operator requests, and a district allows a facility operator to use revised inventory data for prioritization or risk assessment, the facility operator shall submit an update report to the district which reflects any changes from the previously submitted and approved emission inventory report. The district shall submit this updated inventory to the ARB.

NOTE: Authority cited: Sections 39600, 39601, 44340, 44342, 44344, 44360, and 44362, Health and Safety Code. Reference: Sections 44320, 44322, 44323, 44340, 44341, 44342, 44343, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

#### 93349. Update Summary Form

- (a) Operators of facilities identified in Sections 93348(c-e) shall complete and submit the Update Summary Form for the applicable update reporting year based on the schedule specified in Section 93353.
- (b) Districts shall review the Update Summary Form and respond to the facility operator as specified in Section 93354. The Update Summary Form shall satisfy a facility's update requirements for facilities specified in Sections 93348(d-e) unless the operator is notified by the district that an update plan and report is required as specified in Sections 93350-93353.

(c) In reviewing Update Summary Forms to determine whether to require the facility to submit an update plan and report, districts may take into account factors including, but not necessarily limited to:

- (1) increases in throughput, fuel usage, process rate changes, or emissions;
- (2) changes in types of fuels or substances used at the facility;
- (3) determinations that previous source test data are inadequate;
- (4) addition of new processes or equipment to the facility which cause increases in emissions;
- (5) issuance of new permits or changes in permit conditions;
- (6) emissions of any listed substances not previously reported, including newly listed substances;
- (7) emissions of listed substances whose potency values have increased or whose acceptable exposure levels have decreased;
- (8) facility status as it pertains to current or future air pollution control measures;
- (9) reductions in the distance from the facility to the nearest receptor;
- (10) changes in emission factors.

NOTE: Authority cited: Sections 39600, 39601, 44340, 44342, 44344, 44360, and 44362, Health and Safety Code. Reference: Sections 44320, 44322, 44323, 44340, 44341, 44342, 44343, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

#### 93350. Update Plans and Update Reports.

(a) *Every two years pursuant to the schedule specified in Section 93353,* The operator of any facility which is subject to this subchapter shall submit to the appropriate district an update plan and update report according to the schedules specified in Section 93353. The update plan and report need to only update changes in the information contained in the previously submitted emission inventory plan and emission inventory report for the facility in order to represent the most current values of all of the information required pursuant to Sections 93310 through 93347 and Appendices A through E. Such information includes but is not limited to any applicable substances added to Appendix A pursuant to Section 93307, which have not previously been addressed in the plan or report.

(b) *Except as provided in Section 93351, updated information shall be submitted for all components of the plan and report to reflect any change in any parameter which affect the nature or quantity of emissions of a listed substance from the facility, including but not limited to any change in the emission controls affecting the process, any change in input materials used, any change in the nature or quantitative extent of any emitting process, any change in stack parameters, and any change in the proposed method of quantifying emissions. A revised process flow diagram shall be submitted, with each such change clearly marked!*

- (b) Except as provided in Section 93351, at least the following updated information shall be submitted as part of the update plan and report:
- (1) For those facilities subject to this section pursuant to Section 93348(b), updated information shall be submitted for all components of the plan and report as may be necessary to reflect any change in any parameter which affects the nature or quantity of emissions of a listed substance from the facility for all devices identified pursuant to Section 93348(b).
  - (2) For those facilities subject to this section pursuant to Section 93348(c), updated information shall be submitted for those components of the plan and report which may be necessary to describe emission increases (including emissions of previously unreported listed substances) for all devices identified pursuant to Section 93348(c).
  - (3) For those facilities subject to this section pursuant to Section 93348(d), updated information shall be submitted only if required by the district following district review of the Update Summary Form or other information.
- (c) Updated information, when required, may include but is not limited to: the effects of changes in the emission controls affecting the process, changes in input materials used, changes in the nature or quantity of any emitting process, and changes in the proposed method of quantifying emissions. A revised process flow diagram and facility diagram shall only be submitted when new components or processes not reflected in the prior diagrams have been added at the facility. Each such change shall be clearly marked.
- (d) As required, An addendum updated information shall be provided for each applicable component of ~~the~~ a plan and report ~~for~~ to address any new operation, process, or listed substance at the facility, and to account for any revised or additional requirements pursuant to this subchapter which apply to the facility, including but not limited to any applicable substances added to Appendix A pursuant to Section 93307.
- (e) For any revision proposed in ~~the~~ an update plan which reflects a reduction in emissions, the facility operator shall include in the update plan adequate documentation to demonstrate to the district the basis and magnitude of the reduction.
- (f) ~~The~~ An update report shall include all applicable report components as required pursuant to Article 4, beginning with Section 93320, except that only the reporting forms which reflect revised information shall be submitted, with each addition, deletion, and change indicated as

specified in Appendix B. The report shall include the results of any additional source test(s) and any other supporting documentation for updates, as specified in Section 93323, including any new or updated source test results pursuant to Section 93323(b) where such tests have been performed prior to the date of submittal of the update report.

NOTE: Authority cited: Sections 39600, 39601, 44340, 44342, ~~and~~ 44344, 44360, and 44362, Health and Safety Code. Reference: Sections 44320, 44322, 44323, 44340, 44341, 44342, 44343, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

#### 93351. Use of Previously Submitted Information.

- (a) Except as specified for previous source test results in subsections (b), (c), and (d), below, the facility operator may propose in an ~~the~~ update plan to use an applicable component of a previously submitted plan or report to satisfy the update requirement for that component, and the district may approve the proposal, if the facility operator provides adequate documentation to demonstrate to the district that:
- (1) no change has occurred since the last update during the previous two years which would affect the accuracy of the previously originally reported information; or
  - (2) the previously reported information characterizes the current emissions to within the required degree of accuracy.
- (b) Except as specified in subsection (c), below, the facility operator may propose in the update plan to use the results of a previous source test conducted pursuant to Sections 93336, 93337 or 93338, to fulfill the update requirements for a source test required pursuant to Section 93336 and Appendix D provided that:
- (1) the test meets the requirements for use of previous source tests specified in Section 93336(d); and
  - (2) the test meets all other applicable requirements specified in Sections 93336, 93337, and 93338.

Such a proposal to use the "results of a previous source test" may include a proposal to apply the site-specific emission factor developed pursuant to Section 93340, together with current values of the applicable "usage units", to calculate a revised emission result, provided that the current values of the relevant process parameters do not exceed the range of values characterized by the previous source test and that all applicable provisions in subsections (b) and (c) are met.

- (c) Unless exempted by the district, the results of a previous source test shall not be used to fulfill the update requirements for a source test required pursuant to Section 93336 and Appendix D if:
- (1) a major change, including but not limited to: shutdown or startup of equipment, change in air pollution control equipment, or change in the input materials affecting listed substances, has occurred in the operation of the facility which affects the emitting process for which testing is required; or,
  - (2) a major improvement has occurred in the accuracy of the applicable ARB/adopted test method, including but not limited to a revision adopted by the ARB specifically to lower the detection limit or to increase the accuracy of the test method as it pertains to the substance for which the testing is required; or
  - (3) the facility has been cited by the district for a violation of any rule limiting or controlling a listed toxic substance associated with the emitting process for which testing is required; or/
  - (3) the previous source test data submitted by the facility has been determined by the district or the Executive Officer of the Air Resources Board to be invalid or inadequate to accurately assess emissions for the tested process(es).
- (d) The district may approve a proposal to use the results of a previous source test to fulfill an update of a required source test if the district determines that the requirements specified in subsections (b) and (c), above, are met. The district may require a new test to update a previous source test if the district has reason to believe that conditions affecting the emissions of listed substances have changed or if the district determines that significantly improved emission quantification is technologically feasible and appropriate for the particular facility.

NOTE: Authority cited: Sections 39600, 39601, 44340, 44342, and 44344, 44360, and 44362, Health and Safety Code. Reference: Sections 44320, 44322, 44323, 44340, 44341, 44342, 44343, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

**93352. Update Reporting Year.**

- (a) Information required on the Update Summary Form shall reflect facility operations for the calendar year (the update year) prior to the year the Update Summary Form is due. Information required on the Update Summary Form which describes changes at a facility shall be referenced to either the previously submitted emissions inventory report or to the previous update year, as specified for individual questions on the form.

(b) Emissions data in any update plan and update report shall reflect facility operations during the calendar year prior to the year in which the plan is due (the update year).

NOTE: Authority cited: Sections 39600, 39601, 44340, 44342, 44344, 44360, and 44362, Health and Safety Code. Reference: Sections 44320, 44322, 44323, 44340, 44341, 44342, 44343, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

**93352/ Differing Emissions Between The Previous Two Years/**

For any emitting process for which the nature or quantity of emissions differs significantly between the two years since the previous plan or report, the facility operator shall include in the update plan an estimate of the difference in the process parameters and emissions between the two years. The operator shall propose in the update plan an inventory method which will result in values for maximum hourly and annual emissions and process rates as follows:

- (a) Values for the maximum hourly emissions and maximum hourly process rate for each emitting process shall represent the emissions and process parameters, respectively, during the particular time period during the previous two-year period which had the greatest hourly emissions. That year and time period shall be specified in the update plan and update report.
- (b) Values for the annual average emissions and annual process rate for each emitting process shall represent the emissions and process parameters, respectively, for the year with greater emissions, and that year shall be specified in the update plan and update report, except that the facility operator may propose values which represent the year with the lesser emissions if it is the more recent of the previous two years and if the facility operator provides adequate documentation to demonstrate to the district that:
- (1) The reduction is due to enforceable permit conditions; or
  - (2) The operation of the facility is permanently altered due to shutdown, dismantling, or relocation outside the facility of a process or equipment at the facility.
- (c) If usage of one listed substance has been substituted for usage of another in an emitting process that was previously reported, the facility operator shall account for emissions due to usage of both substances in the year with greatest emissions of the more potent

substance, unless the operator provides adequate documentation to demonstrate to the district that the substitution of the less potent substance is permanent. If so demonstrated, the emissions during the more recent of the two years may be reported.

NOTE: Authority cited: Sections 39600, 39601, 44342, and 44344, Health and Safety Code. Reference: Sections 44340, 44341, 44342, and 44344, Health and Safety Code.

93353. Schedule for Update Submittal.

- (a) Update submittals The update plan shall be due according to the following schedule, unless the district specifies in writing in advance an alternative schedule within the same year.
- (1) For any facility which is subject to the requirements of this subchapter pursuant to Section 93304(a), and to Section 93348(b), the update plan shall be due by August 1, 1994, and every four two years thereafter, unless the district specifies in writing in advance an alternate schedule within the same year if required to facilitate administration of the program.
  - (2) For any facility which is subject to the requirements of this subchapter pursuant to Section 93304(a) and to Section 93348(c), (d), or (e), the Update Summary Form shall be due by February 1, 1994, and every four years thereafter. If the district requires that the facility prepare an update plan, such plan shall be due August 1 of the year the Update Summary Form is due.
  - ~~(2)~~(3) For any facility which is subject to the requirements of this subchapter pursuant to Section 93304(b) and to Section 93348(b), the update plan shall be due by August 1, 1995, and every four two years thereafter, unless the district specifies in writing in advance an alternate schedule within the same year if required to facilitate administration of the program.
  - (4) For any facility which is subject to the requirements of this subchapter pursuant to Section 93304(b) and to Section 93348(c), (d), or (e), the Update Summary Form shall be due by February 1, 1995, and every four years thereafter. If the district requires that the facility prepare an update plan, such plan shall be due August 1 of the year the Update Summary Form is due.

- (3)(5) For any facility which is subject to the requirements of this subchapter pursuant to Section 93305 or 93306 and to Section 93348(b), the update plan shall be due by August 1 of the year which is four ~~two~~ years after the year the initial plan submittal was required, and every four ~~two~~ years thereafter. *Unless the district specifies in writing in advance an alternate schedule within the same year if required to facilitate administration of the program, and*
- (6) For any facility which is subject to the requirements of this subchapter pursuant to Section 93305 or 93306 and to Section 93348(c), (d), or (e), the Update Summary Form shall be due by February 1 of the year which is four years after the year the initial plan submittal was required and every four years thereafter. If the Update Summary Form indicates that the facility must prepare an update plan, such plan shall be due August 1 of the same year the Update Summary Form is due.
- (4)(7) For any facility which is subject to the requirements of this subchapter pursuant to Section 93308(a)(1) or (c) and to Section 93348(b), the update plan shall be due by August 1, 1994 and every four ~~two~~ years thereafter. *Unless the district specifies in writing in advance an alternate schedule within the same year if required to facilitate administration of the program,*
- (8) For any facility which is subject to the requirements of this subchapter pursuant to Section 93308(b)(1) or (c) and to Section 93348(c), (d), or (e), the Update Summary Form shall be due by February 1, 1994, and every four years thereafter. If the district requires that the facility prepare an update plan, such plan shall be due August 1 of the year the Update Summary Form is due.
- (b) Except as provided in subsection (c), below, the schedule specified for the inventory plan and report in Health and Safety Code Sections 44340(b), 44341, and 44343, and in Sections 93320 and 93347 herein shall apply to the review, approval, and implementation of the update plan and update report.

- (c) Nothing in subsection (b), above, shall preclude an operator from submitting a proposed update report at the same time as the update plan provided that all applicable revisions are included in the update report and that no new source testing was required for the facility. If upon review of the update plan, the district requires the operator to revise the update plan, the operator shall implement the revised plan and incorporate all applicable revisions to the update report.

NOTE: Authority cited: Sections 39600, 39601, 44340, 44342, ~~and~~ 44344, 44360, and 44362, Health and Safety Code. Reference: Sections 44320, 44322, 44323, 44340, 44341, 44342, 44343, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

93354. Schedule for Update Summary Form Review.

- (a) Districts shall review facility Update Summary Forms. Following review, districts shall notify facility operators in writing if the facility operator must submit an emissions inventory update plan and report as specified in Sections 93348-93353. Districts shall notify facilities of the requirement to perform an update by May 1 of the year the Update Summary Form was submitted, or within 90 days of receipt of the form if an alternative submittal schedule was specified by the district.
- (b) If the district does not respond to the facility operator as specified in Section 93354(a), the Update Summary Form shall meet the facility's update requirements for the update year. However, failure of the district to respond does not prevent the district from requiring updated information if the district determines that information provided on the Update Summary Form is erroneous, incomplete, or the existing facility emissions inventory does not adequately characterize facility emissions.

NOTE: Authority cited: Sections 39600, 39601, 44340, 44342, 44344, 44360, and 44362, Health and Safety Code. Reference: Sections 44320, 44322, 44323, 44340, 44341, 44342, 44343, and 44344, Health and Safety Code, and 17 CCR Sections 90700-90704, Appendix B.

93355. Change in Ownership or Company Name.

The ~~biennial~~ update requirements in this subchapter shall apply to any facility which had been subject to this subchapter pursuant to the provisions of Health and Safety Code Sections 44320 and 44322, which subsequently changed ownership or company name.

NOTE: Authority cited: Sections 39600, 39601, 44342, and 44344, Health and Safety Code. Reference: Sections 44320, 44342, and 44344, Health and Safety Code.